

# EXHIBIT 2

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

EMMANUEL G. JUSTINIANO, JOSE NIEVES,  
JOSE BARBOSA, DAHEED WILLIS, ANTHONY  
KEITT, FRANK FODERA, JOSHUA MOSS,  
OSCAR PUERTA, LUIS ARENAZA,  
GUILLERMO MUNOZ, MILTON LAVERDE,  
WILLIE S. BREWER, ISMAEL FRANCISCO,  
STEVE M. NG, MANUEL SANTOS, JULIO  
RIVERA, FREDDY VELEZ, BRYONT A LOPEZ,  
MIGUEL CABREJA, JUAN VEVAS, TERRENCE  
JONES, NICOLAS SALGADO, LUIS A. VEGA,  
LOUIS TELESE, KENNETH WARING, ANTONY  
G. HILL, JOSE GOMEZ ROSARIO, RODERICK  
MASHALL, JOSE BLANCO, DAVID BAEZ,  
KENYA EARLY, SAMMY HERNANDEZ,  
NELSON MINYETY, BILL DELVIN, EDWIN J.  
RAMIREZ CESPEDES, BENTO RODRIGUEZ,  
PAUL STARAPOLA, ANDRES REYES, JESUS A.  
MARTINEZ, DAVID BEACH, JONATHAN  
DELROSARIO, JAMES SHAW, GARFIELD  
GAMMON, DESEAN ALLEN, DERREK  
HUGHES, JORGE A. MILANES, *and* CARMELO  
NYANDUGAR, *each individually and on behalf of  
all other individuals similarly situated,*

Plaintiffs,

v.

PHOENIX BEVERAGES, INC., WINDMILL  
DISTRIBUTING COMPANY LP, d/b/a  
PHOENIX/BEEHIVE, RODB, LLC, LONGFENG  
TRUCKING, LLC, PHOENIX BEVERAGES MTO,  
LLC, FORBEE CAPITAL KEG FUND, LLC,  
HEINEKEN NORTH AMERICA, INC.,  
HEINEKEN USA INCORPORATED, RODNEY  
BREYMAN, GREGORY BREYMAN, PAUL  
ROSSI, JOSEPH STANICH, *and* GEORGE  
STRADA,

Defendants.

Case No. 13-CV-2332 (TLS) (JLC)

**VERIFICATION**

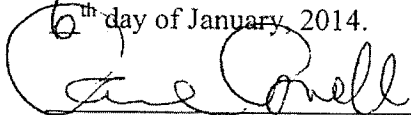
**RODNEY BRAYMAN**, being duly sworn, deposes and says:

1. I am the President and Chief Executive Officer ("CEO") of Windmill Distributing Company, LP, d/b/a Phoenix/Beehive ("Phoenix").

2. None of the beer delivery trucks that Phoenix uses, or has used at any time back to at least three years prior to April 9, 2013 in the delivery of its beer products to Phoenix's customers weighs 10,000 pounds or less.

  
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**RODNEY BRAYMAN**

Sworn to before me this  
6<sup>th</sup> day of January, 2014.

  
\_\_\_\_\_  
Notary Public

